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EXAMINER

COLILLA, DANIEL JAMES

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 09/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

10/002,014

Applicant(s)

CLARAMUNT ET AL.

Examiner

Dan Colilla

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-- The MAILING DATE of this communicati n appears on the cover sheet with the c rrespondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2003 .
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-8 and 17-20 is/are allowed.
- 6) ☒ Claim(s) 1,2,4,9-14,16 and 21-25 is/are rejected.
- 7) ☒ Claim(s) 3 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-2, 4, 9-10, 13-14, 16, 21-22 and 25 are rejected under 35 U.S.C. 102(a) as being anticipated by Karasawa.

With respect to claim 1, Karasawa discloses a media advancing device including an overdrive roller 16 with an upper surface forming a contact region and an outer surface having a plurality of openings 22 as shown in Figures 1-3 of Karasawa. Further disclosed is a negative pressure mechanism 38 that creates a negative pressure through the openings 22.

With respect to claim 2, Karasawa discloses a vacuum chamber 34 that is communication with the openings 22.

With respect to claims 4 and 16, Figure 2 of Karasawa shows that the roller is partially housed in a slot above the vacuum chamber 34.

With respect to claims 9 and 21, Karasawa discloses that holes 22 are drilled (paragraph 8 of the machine translation). Holes that are drilled are circular since drill bits are circular.

With respect to claims 10 and 22, the openings 6a are equidistantly spaced as shown in Figure 3 of Karasawa.

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With respect to claim 13, Karasawa discloses the claimed media advancing device as mentioned above with respect to claim 1. The suction created by pump 38 is radial to a least a portion of the holes 22 as shown in Figure 2 of Karasawa.

With respect to claim 14, Takahashi et al. discloses openings 22 and a vacuum source 38 and a vacuum chamber 34 as mentioned above.

With respect to claim 25, Karasawa discloses the method of advancing a media in a hardcopy apparatus including the steps of advancing a media 14 with a main roller 10 to contact a contact region on an overdrive roller 16 which has a plurality of openings 22. Further disclosed is the step of generating a negative pressure distribution between the media 22 and the contact region with a vacuum source 38. The media is further advanced by the overdrive roller 16 as shown in Figure 1 of Karasawa.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karasawa as applied to claims 1-2, 4, 9-10, 13-14, 16 and 21-22 above, and further in view of Cleveland.

Takahashi et al. discloses the claimed media advancing device except that it is not known to the examiner if the outer surface of the roller includes a coating having a high coefficient of

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friction. However, Cleveland teaches a media advancing device including a roller 34 that is covered with grit (Cleveland, col. 4, lines 24-27). It would have been obvious to combine the teaching of Cleveland with the media advancing device disclosed by Takahashi et al. for the advantage of providing a surer grip on the media so that it does not slip.

5. Claims 12 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karasawa as applied to claims 1-2, 4, 9-10, 13-14, 16 and 21-22 above, and further in view of Takahashi (US 4, 840,369).

With respect to claims 12 and 24, Karasawa discloses the claimed media advancing device except for the axial exhaust. Karasawa discloses a vacuum source 38 in communication with an exhaust line 36. The exhaust line is near axial as shown in Figures 2-3 of Karasawa and is in communication with the holes 22. Takahashi teaches an exhaust line that is axially located as shown in Figure 4 of Takahashi. It would have been obvious to combine the teaching of Takahashi with the media advancing apparatus disclosed by Karasawa for the advantage of supply and delivery bins 14 and 54 as convenient media storage areas.

Allowable Subject Matter

6. Claims 5-8 and 17-20 allowed.

7. Claims 3 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Saito et al. and Freund et al. and Ishizuka are cited to show other examples of media advancing devices with overdrive rollers including suction openings.

Response to Arguments

9. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Colilla whose telephone number is (703) 308-2259. The examiner can normally be reached M-F, 8:30-5:30. Faxes regarding this application can be sent to (703) 746-4405.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached at (703)305-6619. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Dan Colilla
Primary Examiner
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September 3, 2003